

was black and female she would have to be twice as good and work twice as hard in order to make it in the white world. Instead of protesting that, instead of taking to the streets and complaining about that inequity, Condoleezza Rice determined she would indeed be twice as good and work twice as hard as any of her contemporaries.

The story is told that when she was at school at the college level, one of her professors began to lay out the case that blacks are inherently inferior to whites. Condoleezza Rice as a young student spoke up and said, We are the ones who play Beethoven and speak French. What about you? She is an accomplished concert pianist. She went on to a Ph.D. and she became the youngest and first female provost at Stanford University with an outstanding career as she worked twice as hard to be twice as good as anybody else.

Some would argue that the most successful black African-American of our time is Secretary Colin Powell. I have read his biography. I find, among other things, that what he talks about, in his experience dealing with segregation and discrimination in America and growing up following the contributions of Dr. Martin Luther King, Jr., is his family. He had parents who were married to each other and who provided him with a loving and nurturing home situation. He describes that in his biography.

I suggest this because I think there is a clear thread here. Martin Luther King, Jr., came from a stable family. Condoleezza Rice came from a stable family. Colin Powell came from a stable family. And in the same period that Martin Luther King, Jr., was making his contribution, a young staffer in the Johnson administration named Daniel Patrick Moynihan wrote prophetically of the breakup of Black families in America and talked about what would happen to the African-American community if the family cohesion that had been there before was somehow not preserved.

The predictions and implications of former Senator Moynihan's work have come true, tragically. Today, over two-thirds of the children born to African-American mothers are born outside of a formal marriage, outside of a stable family, outside of that one constant that provided the launching pad for the careers of those who have been successful among us.

Of course, the lack of a family, the lack of loving parents who are married to each other and provide a nurturing circumstance—the devastation of that lack knows no racial boundaries. White students, Asian students, Hispanic students—whoever it might be—who come out of a circumstance where they do not have a stable family relationship are statistically at far greater risk educationally, economically, socially—every other way—than those who come from a family background.

So as we celebrate rightly Dr. Martin Luther King and his contribution to

this country, we should also recognize the importance of sustaining traditional family values in this country for everyone, regardless of race. And I would think that adding to Dr. Martin Luther King's dream, we should have a dream of a time when no child is reared in a circumstance where there is not a loving support system.

Now, it need not always be blood relatives. Clarence Thomas, who sits on the Supreme Court, has written movingly of his family, but his family was a family of Catholic nuns who gathered around him and provided surrogate parenthood and gave him the kind of nurturing opportunity as a young man that he needed if he was going to succeed.

We should understand that there is no substitute in Government programs for that kind of nurturing background. And we should look around us at the role models who have overcome discrimination and segregation and achieved greatness and recognize that the common thread throughout most of their lives is some kind of family background, family stability; nurturing, supporting activities when they were in their formative years.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. VOINOVICH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CORNYN). Without objection, it is so ordered.

#### MAKING FURTHER CONTINUING APPROPRIATIONS FOR FISCAL YEAR 2003—Continued

Mr. VOINOVICH. Mr. President, to my colleagues who have known me and who have heard me speak on spending issues before, what I am about to say may be very shocking, and it shocks me as well. I am going to vote for this appropriations bill. It contains only a 3-percent increase in total spending—can you believe that; that is mandatory and nondiscretionary domestic spending, a 3-percent increase—and a 2.4-percent increase in discretionary spending.

All of us should congratulate the President for sticking to his guns and keeping his promise that he was going to restrain spending while he was President.

We also should thank Appropriations Chairman TED STEVENS and his colleagues on the committee who have done a good job in putting this package together. It is time for us to move on.

I would first like to comment on why we are here. Why are we here today? We would not be here today if we had passed a budget last year and had not wasted so much time debating bills on the floor of the Senate that should have been taken care of properly in committee.

Last year was the first time the Senate did not pass a budget resolution since the Budget Act of 1974. Think of that. For 29 years we passed a budget, but last year we were not able to muster up the votes to get a budget passed. In addition, we have spent so much time debating bills on the floor of the Senate that should have been handled properly in the committees where those bills originated. In so many instances where the leader was unhappy with the results of the committee work, he yanked the bills out of committee, took it into his office, rewrote the bill, put it on the floor, and we debated it. For example, the energy bill, where we spent 8 weeks debating it, when it could have been taken care of in the Energy Committee. The energy bill, the farm bill, the economic stimulus bill, we spent so much time last year dealing with things that should have been done in committee.

I am hoping the new leader gives more emphasis to the importance of committees in the Senate. I cannot understand why the previous majority party's committee chairmen were not up in arms about so many bills that should have been handled in their committees, but were pulled. We wasted a lot of time last year, and the chickens have now come home to roost. We have operated on a continuing resolution for 4 months—October, November, December, and January.

The executive branch is already one-third through the fiscal year, and the President wants us to finish our work. The American people want us to finish our work. There are so many Federal agencies today that are providing services not knowing what their budget is going to be for this year. Starting this week, executive branch agencies must absorb a 3.1-percent pay raise within fiscal year 2002 funding levels. I know what that is like. I know, as a former governor and mayor, the pressure that puts on agencies. Many agencies will be unable to effectively allocate funds, particularly competitive grant funds, prior to the end of the fiscal year without a final appropriation in the next 20 to 30 days.

In other words, consider the many agencies that have competitive grant programs. These agencies will not be able to get their requests for grant applications out this year, nor the grant applications back in unless we get things done in the next few days. Also thousands of people, like my nephew, are out of work because companies they work for that have government contracts don't know if the projects that are being funded by the Federal Government will continue. Government programs have been on hold for the past 4 months and won't move forward until we pass an appropriations bill.

One of the things hurting our economy today is uncertainty. We have contributed to it because we haven't been doing our work.

My constituents ask me: Do you guys in Washington get it? Do you get it? Do

you understand what is going on? We are at war. The President of the United States has more on his plate than perhaps any President in my memory. Some say FDR; some say Abraham Lincoln. The economy is sputtering. Our constituents believe we are behaving like Nero, fiddling around while Rome is burning. They continue to ask, don't you get it?

We have to understand that we cannot tolerate business as usual. In fact, business as usual looks pretty good compared to what we have been doing the last year or so, and the way we have been behaving.

If corporate executives in the private sector took this much time to implement their budgets, they would never bring any projects to market or create any new jobs and our economy would collapse.

Let's get appropriations done now. None of us are happy with everything in it, and everyone would like to add something, a pet project, a pet constituent request. All of us have them. Hopefully, some will be taken care of and smoothed out in conference. But if not, they will have to be handled in the 2004 budget.

Remember we are in this pickle because we did not do our work last year. Let's get it over so we can begin to do our work this year. Let's get on with the budget, so that we can have an aggressive effort to do the 2004 appropriations bills and the other urgent business of the American people.

God only knows what the budget environment will be if we go to war with Iraq. As all of us in this body understand, even if we do not go to war, there are likely to be supplemental expenditures for whatever the final settlement with Iraq will be.

Let's look at this proposal before us. This bill represents a compromise between true fiscal discipline and Congress' desire to spend. It is made up of 11 bills. Passage of this bill will bring non-defense discretionary spending up to \$385 billion, an increase of 2.4-percent over the fiscal year 2002 level. It provides everything the President asked for except the \$10 billion defense contingency fund. Although this low number is something to rejoice about, we had better understand that one of the reasons it is low is that we have had a continuing resolution for the past 4 months and we have been spending money at FY 2002 levels.

Included in the package is a 1.6-percent across-the-board cut in all domestic spending, in order to accommodate some high-priority items. Let's not forget about that. Some are talking about amending this bill. The bill already contains an across-the-board reduction so we could provide \$3.1 billion for drought aid for farmers in counties that have been declared disasters. In my particular case, we have 88 counties in Ohio that have been declared disasters. Mr. President, the bill includes \$1.5 billion for election reform; which is not as much as we promised the states

when we passed the election reform legislation, but it is a substantial amount of money that will help the states. And the bill includes \$1.6 billion for a Medicare physician's fee fix. All of us have heard from our physicians in terms of the Medicare situation they are confronted with, when every year the amount of reimbursement is going down and down.

Inflation this year is only about 2.4 percent, nevertheless, all but two appropriations bills in this package are getting increases above that rate.

The Labor-HHS appropriation has grown an average of 12.4 percent every year since I have been here and will grow another 5.4 percent in this bill. So this bill does not represent draconian restrictions on Federal spending.

In fact, the proposed \$750 billion budget the President wants can fund critical priorities within the limits of fiscal discipline. That \$750 billion represents an increase of over 11 percent in discretionary spending in just the last 2 fiscal years. I don't know anybody who has had those kinds of increases. If you look at our spending during the last 5 years, you see we have increased spending in most of the 13 annual appropriations bills by about 7.1 percent each year. That is about a 43-percent increase in spending since I came to the Senate. During the same period of time we have had inflationary growth of only about 11.4 percent.

The projected deficit for fiscal year 2002 was \$314 billion, which included using Social Security, and the projected deficit for 2003 is already \$315 billion. Someone said at a meeting I attended yesterday that it could go up to about \$370 billion because we are going to have to borrow more money than what we originally expected.

We just increased the debt ceiling last June and will probably need to increase it again before the end of this year. Therefore, we need to endorse this fiscally responsible approach presented to us by the Appropriations Committee today. All these amendments proposed in the last couple days would keep adding money and adding money to the deficit. That is what it is about. I cannot understand it.

I hear arguments on the other side expressing concern about the deficit, and these same people are on the floor trying to amend this appropriations bill. That would be fiscally irresponsible and would add to the deficit. The Appropriations Committee proposal is the lowest increase in spending I have seen since I have been in the Senate.

As I said, I have to take my hat off to the President for holding the line on spending, and I take my hat off to my friend, Appropriations Committee Chairman TED STEVENS. He and I have had some strong words over the last several years. But as Humphrey Bogart said in "Casablanca": "This could be the start of a beautiful friendship."

I want the Appropriations chairman to know I look forward to working with him and his colleagues on the

committee on the 2004 budget and hope by the end of this year we can point to another set of appropriation bills with the same type of responsible and restrained growth.

Over the last 2 days, some people have come to the floor and said we need more money for various good programs. As I mentioned before, these programs are on hold until we pass an appropriations bill. In other words, nothing is happening in some of these programs until we pass an appropriations bill.

I agree that there are many things we all want money for, but I want to point out to my colleagues what we have done during the past few years in terms of the money we have put in the pipeline—I will repeat it so everybody gets it.

Since I have been in the Senate, we have increased discretionary spending by 10 percent in 1999, 15 percent in 2001, and 9 percent in 2002. We have allocated so much additional money to Federal agencies that many of them have had difficulty spending all of it. For example, the Department of Housing and Urban Development has consistently recaptured \$1.5 billion to \$2 billion in unallocated section 8 housing vouchers.

Mr. President, what we are doing here is fiscally responsible. Let's get it done. Let's get on with it. Let's finish the work of the 107th Congress so we can get on with the work of the 108th, starting with the 2004 budget. And we need to move aggressively with the appropriations bills, so that we can get on with an energy bill, and do something about some of the other pressing issues facing the American people.

Mr. HATCH. Mr. President, I rise to express my strong support for the Medicare provisions contained in H.J. Res. 2. These provisions would prevent unwise reductions in physician payments from taking effect by freezing Medicare reimbursement rates for doctors at the 2002 level. They would also provide much-needed, increased funding for rural hospitals.

Enacting these important provisions has been at the top of my agenda, and I am pleased that the committee was able to include them in the omnibus appropriations bill for fiscal year 2003. After extensive conversations with constituents throughout Utah, it became obvious to me that Congress must act to support Medicare providers and patients by ensuring that payments are made more fair.

In 2002, physicians' Medicare reimbursements were reduced by approximately 5 percent. And, on March 1, 2003, Medicare reimbursement rates for physicians are scheduled to be reduced by another 4.4 percent. The provisions in H.J. Res. 2 that I strongly support will protect physicians across the country by preventing the 4.4 percent cut in physician Medicare payment from going into effect in March.

It is apparent to me that Medicare constraints have made it more and more difficult for hard-working physicians to provide the level of patient

care that they and their patients expect. Physicians in Utah with whom I have consulted over the past year have showed me the lasting, negative impact that the 2003 reductions would have on patient care. In addition, I have been dismayed to learn from several physicians that these unwarranted reductions would cause them to think twice about remaining in the Medicare Program.

In fact, as representatives of the Utah Medical Association have pointed out to me, Medicare's flawed reimbursement system has made it increasingly difficult for Utah physicians to accept new Medicare patients, putting many seniors who seek care in a quandary. This is not fair to the physicians, and it is not fair to the patients.

While the Centers for Medicare & Medicaid Services, CMS, reports that Medicare physician participation rate was 89.3 percent in January 2002, figures from Utah portray a dramatically different picture. In a recent survey conducted by the Utah Medical Association, the Medicare participation rate among physicians was significantly lower. The UMA found that only 77 percent of Utah's primary care physicians participated in the Medicare Program. I am hopeful that once Utah physicians see that we in Congress are listening and serious about supporting them, other doctors will consider participating in the Medicare Program once again.

I am also pleased that this legislation contains a provision which will provide additional funding for rural hospitals, something that is desperately needed in my home state of Utah. More specifically, the hospital provision contained in H.J. Res. 2 would raise the inpatient base rate upon which payments are calculated for hospitals in rural and small urban areas to the same rate as that in large urban areas for 6 months. This provision will provide both patients and hospitals in my state with necessary and welcomed relief.

Many of us who worked last year to enact needed changes such as this have been dismayed that, despite our best efforts, Congress could not find a collective way to rectify these problems that are doing so much to hurt patient care throughout Utah. It is high time we take this action.

I urge my colleagues to support these two important provisions because both will provide Medicare patients with access to quality and affordable health care across the country. Let's do the right thing and pass this legislation as quickly as possible, this issue is much too important to both Medicare beneficiaries and providers. Medicare providers, and most importantly, the beneficiaries they serve, are depending on us to get the job done.

Mr. GRASSLEY. Mr. President, I am pleased to have submitted an amendment dealing with the Total Information Awareness Program at the DOD. Many of my colleagues may know

about this program designed to test technologies that collect information from public and private databases and try to find trends that could signal threats against the United States. Like many people, I have been concerned that this program could be used to invade the privacy of Americans by snooping around in our bank accounts, personal internet computers, phone records, and the like. In November of last year, I asked the DOD Inspector General to look into the purposes of TIA and to make sure that there are appropriate controls in place to ensure that it is used only for foreign intelligence purposes to protect us against terrorism and foreign threats, but not on Americans or for domestic crime fighting. I am told that the IG investigation is proceeding, and that the IG has ordered a formal audit of TIA.

This amendment limits the use of the TIA funds appropriated by Congress to foreign intelligence purposes. DOD will be required to tell Congress what it is doing regarding TIA, and keep us in the loop on developments. It also provides that TIA can't be used on U.S. citizens once it is up and running.

But the amendment allows development of TIA to continue for foreign terrorism purposes. So it is a great compromise in that it allows the development of TIA to help track international terrorism, but protects against abuses that could violate the privacy of our own people. I encourage my colleagues to support this amendment.

Mrs. FEINSTEIN. Mr. President, as an appropriator, I come to the floor this afternoon to express my opposition to this omnibus appropriations bill.

The \$385 billion omnibus appropriations bill cuts almost \$10 billion from what the Senate Appropriation Committee approved last year.

On top of these Draconian cuts, the bill before us includes a 2.9 percent across the board cut, to nonmilitary programs, and will affect critical programs such as homeland security, education, and job training.

This bill is a major mistake and represents a short-sided approach to solving our Nation's problems.

What is happening is the administration's effort to starve domestic programs in order to save dollars for a \$674 billion tax cut. If this effort is successful, we will see interest rates rise, the deficit balloon, and a 10-year cumulative deficit of \$2 to \$3 trillion.

Americans don't know it yet, but soon will learn that this bill makes a house of cards out of homeland security, which loses \$1 billion which were already requested, authorized, and appropriated.

How many Americans know that this bill will likely cut 1,175 FBI agents, 490 food safety engineers, and 1,600 customs inspectors who are vital if we are to protect our homeland from contraband and those that would do us harm.

How many Americans know that the Head Start cut of \$107 million could

prevent 2700 youngsters from a Head Start experience, or leave 224,000 needy individuals without the meals provided by WIC, or 230,000 veterans without medical services.

To make matters worse, this bill is being offered at a time when our Nation continues to face significant challenges in protecting homeland security, increasing school achievement, and strengthening our workforce.

Essentially what this bill does is cut the money from a number of critical projects so this body can pass a tax cut of \$674 billion, which will lead to a \$2 trillion deficit over the next 10 years.

Every day this body is faced with tough choices. But in my decade in the Senate, I believe that this bill represents one of the worst pieces of legislation to pass this Senate.

#### MURDER OF AMERICANS IN INDONESIA

Mr. ALLARD. Mr. President, let us commend the chairman of the Foreign Operations Subcommittee for the strong report language on Indonesia. I particularly appreciate the reference to the Americans murdered in Papua in August 2002, and the demands that justice be served for these crimes. I share this sentiment completely and believe that inaction by Indonesia on these murders will result in a negative reaction by both the congress and the Administration.

Mr. MCCONNELL. I appreciate my friend's comments, and believe he is right that the absence of a credible investigation into these murders will have repercussions. While we all recognize that Indonesia continues on a difficult path of political and economic reform—at the same time being a frontline state on the war on terrorism—the Government of Indonesia cannot and should not underestimate the seriousness of the crimes committed in Papua and the need to bring justice to the victims and their families.

Mr. ALLARD. I understand that the Federal Bureau of Investigations may be in Indonesia in the very near future to assist in investigating this crime. Does the chairman share my support for the FBI's involvement in this case?

Mr. MCCONNELL. Absolutely. The FBI should pursue all leads, and determine whether the reports of the Indonesian military's involvement in the ambush are accurate and credible.

For the benefit of my colleagues, let me take a moment to describe the Indonesia provisions in the fiscal year 2003 bill. We earmark funds for Indonesia, including \$10 million for the fragile peace agreement in Aceh and \$5 million for reconstruction efforts in Bali. The bill does not contain restrictions on the International Military Education and Training program for that country but maintains the conditions on assistance under the Foreign Military Financing program. The fiscal year 2003 request for IMET is \$400,000,